

Remarks

Applicants respectfully request reconsideration of the rejection of the claims in view of the above amendments and the remarks set forth below. Claims 1, 3-7, 9-11 and 22 remain in the application. Claims 1, 3-5, 9, 10 and 22 are amended. Claims 6, 7 and 11 remain unchanged. Claims 2, 8 and 12-21 are canceled.

37 CFR 1.83(a)

The drawings were objected to under 37 CFR 1.83(a) because claim 12 recited a communications interface mounted off of the assembly and Figs. 12 and 13 illustrated the communications interface as being mounted on the assembly. Claim 12 is canceled. Applicants do note, however, that claim 1 is amended to recite, inter alia, “an assembly having suspension members, the suspension members isolating the assembly and components mounted on the assembly from vibrations and passing digital signals between at least one component mounted on the assembly and an external controller not mounted on the assembly” (emphasis added). Applicants respectfully submit that support for “an external controller not mounted on the assembly” is found from page 15, line 31 to page 16, line 9 of Applicants’ specification. Additionally Fig. 13 identifies the serial data line “SDA” that couples the assembly to the external controller. Applicants respectfully propose that the objection is overcome.

35 U.S.C. §112

Claims 8, 18, 20 and 21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. More specifically, the “another calibration value” recitation of claims 8 and 18 was vague and indefinite and the “rotational rate gyroscope” recited in claims 20 and 21 did not have support in earlier claims. Claims 8, 18, 20 and 21 are canceled. Applicants respectfully request withdrawal of the rejection.

35 U.S.C. §102

Claim 1 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jeanroy (2003/0010120). Under 35 U.S.C. § 102(b), for a reference to anticipate a claimed invention, each and every element of the claim must be found in the reference.

Amended claim 1 recites, inter alia, “a motion sensor comprising...an assembly having suspension members, the suspension members isolating the assembly and components mounted on the assembly from vibrations and passing digital signals between at least one component mounted on the assembly and an external controller not mounted on the assembly...a vibrating member mounted on the assembly...a sensor mounted on the assembly for detecting movement of the vibrating member in response to rotation of the assembly, the sensor outputting an analog signal responsive to the rotation of the assembly...and digital electronics mounted on the assembly and coupled to the sensor and the suspension members, the digital electronics receiving the analog signal from the sensor and transmitting, through at least one of the suspension members, digital data indicative of the rotation of the assembly to the external controller.” (Emphasis added). Support for the amendment to claim 1 is at least provided in canceled claims 2, 12, and 13 and on pages 15 and 16 of applicants’ specification.

In contrast to amended claim 1, Jeanroy appears to be direct towards a gyroscopic sensor having a sensing element (1, 2) connected to conductive rods (6). The conductive rods (6) appear to carry analog sense signals generated by the sensing element (1,2) to external controlling electronics and appear to be deformable so the sensing element (1,2) is protected from the stress of mechanical shock or thermal expansion (paragraphs 51 and 63). However, Jeanroy does not appear to contain the “suspension members isolating the assembly and components mounted on the assembly from vibrations and passing digital signals between at least one component mounted on the assembly and an external controller not mounted on the assembly” and “digital electronics mounted on the assembly and coupled to the sensor and the suspension members, the digital electronics receiving the analog signal from the sensor and transmitting, through at least one of the suspension members, digital data indicative of the

rotation of the assembly to the external controller” elements of amended claim 1. Since amended claim 1 contains elements not found in Jeanroy, it is respectfully proposed that the rejection for anticipation is overcome.

35 U.S.C. §103

Claims 1 is amended to include the recitation of canceled claim 2. Claim 2 stood rejected under 35 U.S.C. §103(a) as being unpatentable over Jeanroy. Under U.S.C. § 103, the prior art reference (or references when combined) must teach or suggest all of the claim limitations (MPEP § 706.02(j)).

The Office Action states that it would be obvious to provide digital electronics on the assembly (2) of Jeanroy. Applicants respectfully disagree. It is not clear how the electrode carrier (2) of Jeanroy could be modified to include the “digital electronics” element of amended claim 1. The electrode carrier (2) and resonator (1) of Jeanroy are both made of silicia to ensure that air gaps are stable (paragraph 49). Jeanroy explicitly states that it is essential that the stresses induced by differential expansion do not disturb the assembly comprising the resonator (1) and electrode carrier (2) (paragraph 52). It is unclear to Applicants how to modify the electrode carrier (2) without introducing such stresses. Indeed, Jeanroy appears to teach away from such a modification since it teaches having the resonator (1) and electrode carrier (2), i.e., the sensing element of the gyroscope, provide signals to controlling electronics situated outside of the gyroscope (paragraph 51). Therefore, it is respectfully proposed that the rejection of the “digital electronics” element now recited in amended claim 1 under 35 U.S.C. § 103(a) is overcome in accordance with the above remarks and notice to that effect is earnestly solicited.

Claims 5-7 and 9-11 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Jeanroy. Claims 5-7 and 9-11 depend from amended claim 1 or depend from claims depending from amended claim 1, and should therefore also be allowable for the same reasons,

as well as for the additional recitation contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Claims 3, 4 and 22 stand rejected as being unpatentable over Jeanroy as applied to canceled claim 2, and further in view of Hamisch et al. (5,247,252) or Henderson et al. (5,237,871).

Claims 3 and 4 depend from amended claim 1 or depend from claims depending from amended claim 1, and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 22 is amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for obviousness is overcome.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (818) 260-3727, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fees, other than those discussed above, are believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,



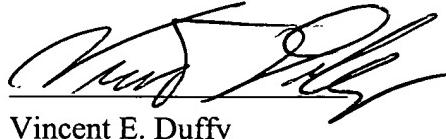
By: Vincent E. Duffy
Reg. No. 39,964
Phone (818) 260-3727

Patent Operations
THOMSON Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312
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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

7/16/08
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Vincent E. Duffy

Report to Data Base

Docket No. PU040 3336

Serial No. 10/591,321 Filed: 8/31/06

Patent No. _____
Atty: Vincent E. Duffy

Inventor(s): Steven Porter Hoteling et al.

Title: Digital Electronics O&A Suspended Assembly

PATENT OPERATIONS

MAILING TO U.S. Patent and Trademark Office

APPLICATION AS FILED

Enter Date	Enter Number	Check Type	Check Items Mailed with Application	
		Original-US Nat'l	<input type="checkbox"/>	Declaration
O PER 4 P84	Independent Claims	<input type="checkbox"/>	<input type="checkbox"/>	Statement under CFR § 1.56-013M
JUL 21 2008	Claims in Excess of 20	<input type="checkbox"/>	<input type="checkbox"/>	Assignment & Recordation Sheet
4 P84	Claim Pages	<input type="checkbox"/>	<input type="checkbox"/>	Preliminary Amendment
JUL 21 2008	Specification Pgs	<input type="checkbox"/>	<input type="checkbox"/>	Priority Document -
4 P84	Sheets of Drawings	<input type="checkbox"/>	<input type="checkbox"/>	
JUL 21 2008	Abstract Pages	<input type="checkbox"/>	<input type="checkbox"/>	IDS 1449 with References
4 P84		<input type="checkbox"/>	<input type="checkbox"/>	Utility Application Transmittal
		<input type="checkbox"/>	<input type="checkbox"/>	Express Mail Application Label No.: <i>7/16/c8</i>
		<input type="checkbox"/>	<input type="checkbox"/>	Date Deposited: <i>7/16/c8</i>
Charge	Due	AMENDMENTS	MAILED	FEES
Mailed	Due	AMENDMENTS	MAILED	MAILED
7/16/08	4 P84	After Rejection		Notice of Appeals
		After Final Rejection		Appeal Brief
		After Allowance Uff312		Reply Brief
		Supplemental		Pet. To Withdraw.
		Voluntary		REQUESTS
		Letter to Exam/Draftsperson w/Drawing Correction(s)		Ext Time§ 1.136(b)
		Pg(s) of Formal Dwg(s)		Ext Time§ 1.136(a)
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				Fee Trans. Form in duplcs.
				TOTAL FEE AMT.
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				Suppl. Declaration
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